

PATENT COOPERATION TREATY

2005 -11- 14

jko

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

SCANIA CV AB (publ)
SE-151 87 Södertälje
Sweden

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

26/12-05
bisDate of mailing
(day/month/year)

11-11-2005

Applicant's or agent's file reference

188-03

REPLY DUE

within 45 days from
the above date of mailing

International application No.

PCT/SE2004/001765

International filing date (day/month/year)

29.11.2004

Priority date (day/month/year)

09.12.2003

International Patent Classification (IPC) or both national classification and IPC

B62D 1/08, 1/04

Applicant

SCANIA CV AB (publ) et al

1. ☒ The written opinion established by the International Searching Authority:
☒ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority.
2. This second (first, etc.) opinion contains indications relating to the following items:
- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.
- When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).
- How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.
- Also** For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.
- If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 09.04.2006

Name and mailing address of the IPEA/SE
Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Form PCT/IPEA/408 (cover sheet) (April 2005)

Authorized officer

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10/582032

**WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

International application No.

PCT/SE2004/001765

Box No. I Basis of the opinion

AP3 Doc'd 10/10/04 07.11.10

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____,
 which is the language of a translation furnished for the purposes of:
☐ international search (Rules 12.3(a) and 23.1(b))
☐ publication of the international application (Rule 12.4(a))
☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

- ☒ the international application as originally filed/furnished
☐ the description:
 pages _____ as originally filed/furnished
 pages _____ received by this Authority on _____
 pages _____ received by this Authority on _____
☐ the claims:
 pages _____ as originally filed/furnished
 pages _____ as amended (together with any statement) under Article 19
 pages _____ received by this Authority on _____
 pages _____ received by this Authority on _____
☐ the drawings:
 pages _____ as originally filed/furnished
 pages _____ received by this Authority on _____
 pages _____ received by this Authority on _____
☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to the sequence listing (*specify*): _____

4. ☒ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☒ the description, pages 1-5
☒ the claims, Nos. 1-5
☒ the drawings, sheets/figs sheet 1
☐ the sequence listing (*specify*): _____
☐ any table(s) related to the sequence listing (*specify*): _____

PCT/PTO

WRITTEN OPINION OF THE
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Supplemental Box

10/582032

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX I

The amended claim 1 (and claims 2-5), filed under PCT Article 34, is not considered to be fully supported by the originally filed application.

The amendments have led to a different steering wheel due to the removal of the feature "wherein the driver can operate the module while grasping the lower spokes" (see line 14 in original claim 1). The originally filed application gives no indication that the feature "wherein the driver can operate the module while grasping the lower spokes" need not be included in the steering wheel.

Consequently, the amended claim 1 is not considered to be fully supported by the originally filed application. Furthermore, claims 2-5 are dependent on amended claim 1 and as a consequence thereof claims 2-5 are also not considered to be fully supported by the originally filed application.

It should be noted that the removal of the features "by a normal man's hand" (see line 6-line 7 in original claim 1) and "the upper edge of" (see line 11 in original claim 1) is not considered to have led to a different steering wheel. Hence, the omissions of these features, in amended claim 1, are not considered to give rise to an objection regarding support by the originally filed application (although not mentioned explicitly in amended claim 1, said features are still considered to be implicit in the claim). However, said features promote a clear definition of the invention and it would therefore be appropriate to include these in the claim for the sake of clarity.

The amended description (and fig. 1), filed under PCT Article 34, is not considered to be fully supported by the originally filed application, due to an "ergonomic" aspect of the invention being lost as a result of the omission of several passages in the description as originally filed. A passage discussing "ergonomic positions for the hands when driving long distances" (see page 1, line 13-line 18 of the original description) has been completely omitted.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: BOX I

Also, the wordings "and ergonomic", "giving the driver a good driving position" and "when doing this the driver can hold his/her hand in a restful position without having to bend the wrists in unpleasant angles" has been omitted (see page 2, line 2-line 3 and page 3, line 8-line 10 in the original description). Several other passages in the original description has been omitted as well (see for example page 4, line 5-line 7, line 14-line 20, line 26-line 28 and all of page 6 in the original description).

Consequently, the amended description is missing the "ergonomic" aspect of the invention (disclosed in the original description) and as a result it gives a somewhat different and an overall picture of the invention, not considered to be fully supported by the originally filed application.

WRITTEN OPINION OF THE
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International application No.

PCT/SE2004/001765

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

Claims

Inventive step (IS)

Claims

Claims

Industrial applicability (IA)

Claims

Claims

2. Citations and explanations:

This report is based on the originally filed application; see box I.

Documents cited in the International Search Report:

D1: JP 6329025 A

D2: JP 5131933 A

D3: US 5090731 A

D4: US 5002306 A

D5: US 4638131 A

The cited documents represent the general state of the art.

The invention defined in claims 1-7 is not disclosed by any of these documents.

The cited prior art does not give any indication that would lead a person skilled in the art to the claimed vehicle steering wheel. Therefore, the claimed invention is not obvious to a person skilled in the art.

Accordingly, the invention defined in claims 1-7 is novel and is considered to involve an inventive step. The invention is industrially applicable.